

## **ATTACHMENT A: CONSULTATIONS**



## Department of Energy

Oak Ridge Operations Office  
P.O. Box 2001  
Oak Ridge, Tennessee 37831—

April 13, 2001

Mr. James Oland  
Field Supervisor  
Fish and Wildlife Service  
United States Department of Interior  
Boqueron Field Office  
Carr 301, KM 5.1, BO Corozo  
Boqueron, PR 00622

Dear Mr. Oland:

### **INFORMAL CONSULTATION UNDER SECTION 7 OF THE ENDANGERED SPECIES ACT FOR THE BOILING NUCLEAR SUPERHEATER (BONUS) ENVIRONMENTAL ASSESSMENT**

The U.S. Department of Energy (DOE) is preparing an Environmental Assessment (EA) for the Boiling Nuclear Superheater (BONUS) facility at Rincon, Puerto Rico, in accordance with the National Environmental Policy Act (NEPA). The proposed action is considering authorizing the Puerto Rico Electric Power Authority (PREPA) to allow public access to the BONUS reactor building. PREPA, the owner of the facility, is proposing development of the facility as a museum.

The BONUS was an experimental reactor which operated from 1964 to 1968, when it was shut down for economic reasons. After closing of the facility, the reactor was decommissioned. Decommissioning activities included (1) removal of all special nuclear materials (e.g., nuclear fuel) and most of the contaminated equipment from the reactor and the disposal of such materials and equipment on the United States mainland; (2) in-place entombment of the pressure vessel and associated internal components within a three-story-tall concrete monolith within the dome-shaped reactor building, and (3) decontamination of contaminated systems that were outside of the pressure vessel. Although the BONUS reactor building and associated equipment is owned by PREPA, DOE retained ownership to the radioactive material entombed within the concrete monolith structure.

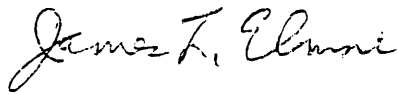
Mr. James Oland

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This letter serves as informal consultation under Section 7 of the Endangered Species Act. In this regard, DOE requests an updated List of protected species and habitat in the vicinity of the BONUS facility and solicits your recommendations and comments regarding **this** proposed action. Your input **will** be used in preparation of the EA. We would appreciate a reply to this letter by May 2, 2001, if possible.

If you need further information on this request, please call me at (423) 576-093 8.

Sincerely,

A handwritten signature in cursive script, appearing to read "James L. Elmore".

James L. Elmore, PhD  
Alternate NEPA Compliance Officer

cc:

Mildred Fene, EM-912

Gary Hartman, EM-912



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Boqueron Field Office  
P.O. Box 491  
Boqueron, Puerto Rico 00622



May 21, 2001

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Log No. 19301  
Date Received MAY 29 2001  
File Code- \_\_\_\_\_-m.-

Dr. James L. Elmore  
Alternate NEPA Compliance Officer  
Department of Energy  
Oak Ridge Operations Office  
P.O. Box 2001  
Oak Ridge, Tennessee 37831

Re: Boiling Nuclear Superheater  
(BONUS), Rincón, Puerto Rico

Dear Dr. Elmore:

Thank you for your letter of April 13, 2001, requesting our comments on the development of the the BONUS reactor building in Rincón, Puerto Rico, as a museum. The action is being proposed by the Puerto Rico Electric and Power Authority (PREPA), the current owner of the facility. Our comments are provided in accordance with the Endangered Species Act of 1973, as amended (87 Stat. 884, as amended; 16 U.S.C. *et seq.*).

YOUR letter requests a list of species in the vicinity of the facility and comments concerning the proposed action. The proposed project falls within the range of the endangered hawksbill sea turtle (*Eretmochelys imbricata*), the leatherback sea turtle (*Dermochelys coriacea*), and the plant *Buxus vahlii*. Beaches adjacent to the facility provide nesting habitat for the two species of sea turtles. The turtles and their habitat may be adversely affected by activities such as increased artificial lighting, the removal of coastal vegetation, increased public use, road and trail construction, and any expansion of facilities.

We are particularly concerned over the potential for impacts to the population of *Buxus vahlii* located on the property belonging to PREPA, adjacent to the existing facilities. Known only from Puerto Rico and St. Croix, this is one of five known localities on the island of Puerto Rico and one of the largest populations. This locality has been impacted in the past by cutting, hurricanes and fires. Protective measures, such as fencing and the establishment of a conservation easement, should be implemented. Transfer of the land to an agency whose primary responsibility is the protection of natural resources might also be considered as a

protective mechanism.

No information was provided on what would be involved in the facilities' development as a museum. In order to discuss the potential for impacts from the project and measures that might be implemented to avoid such impacts, we recommend that a meeting be held. Project plans should be available in this meeting. Please contact Susan Silander at 787/851-7297, ext. 30 to make arrangement. Thank you for the opportunity to comment on this action.

Sincerely,

A handwritten signature in black ink, appearing to read 'James P. Oland', with a long horizontal line extending to the right.

James P. Oland  
Field Supervisor

ss

cc:

DNER, San Juan

PREPA, San Juan

EQB, San Juan

PRPB, San Juan

Municipality of Rincon



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Boqueron Field Office  
P.O. Box 491  
Boqueron, Puerto Rico 00622  
October 29, 2001



Mr. David R. Allen  
ORO NEPA Compliance Officer  
Department of Energy  
Oak Ridge Operations Office  
P.O. Box 2001  
Oak Ridge, Tennessee 37831

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Log No. 38 797

Date Received NOV 1 2001

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Re: Draft EA for public access to  
BONUS reactor, Rincon, Puerto  
Rico

Dear Mr. Allen:

Thank you for your letter requesting our comments on the above-mentioned draft Environmental Assessment. The Assessment evaluates the impacts of the development of a museum at the BONUS reactor in Rincon, Puerto Rico. We had previously submitted comments concerning the project in a letter of May 21, 2001.

We recommend that the information in Section 3.7.3 on threatened and endangered species be updated. Presently there are 49 plant species and 29 animal species in Puerto Rico and the U.S. Virgin Islands protected as either threatened or endangered under the Endangered Species Act of 1973. The Commonwealth of Puerto Rico provides protection to these and additional animal species. The Elfin Woods Warbler and the mottled coqui are not listed as either threatened or endangered by the Fish and Wildlife Service (Service). The project does, however, fall within the range of the endangered hawksbill (*Eretmochelys imbricata*) and leatherback (*Dermochelys coriacea*) sea turtles and the endangered plant *Buxus vahlii*.

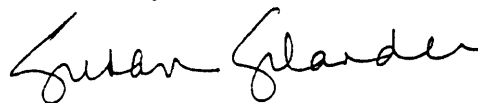
The draft Environmental Assessment does not provide specific information on what would occur at the facility as a result of its conversion to a museum. The Assessment states that sea turtles may be adversely impacted by the increase in artificial lighting and increased public use. As we stated in our letter of May 21, 2001, in order to evaluate adverse effects to sea turtles and their nesting habitat from the proposed project detailed information on the project's design must be provided. This should include project plans that indicate any new construction, any need for vegetation removal, and the location of all artificial lighting. While the Assessment states that the species may be adversely affected, it does not discuss any measures that would be implemented to avoid or minimize such effects.

We continue to recommend, as we did in our letter of May 21, 2001, that protective measures, such as fencing, be implemented to protect the population of the endangered plant *Buxus vahlii* located on adjacent PREPA property. This population, the largest of the five in Puerto Rico, lies outside of the fenced area around the BONUS reactor. It is currently subject to impacts from cutting and fires. The transfer of the land to an agency whose primary responsibility is the protection of natural resources might also be considered as a protective mechanism. No mention of these measures or the need for them is included in the Assessment.

We believe that, due to the presence of endangered species on or adjacent to the property and the potential for impacts to the species and their habitat, the Department of Energy and the Service should be involved in informal consultation as described by section 7 of the Endangered Species Act. This process will allow us to review together specific project plans, design measures to avoid or minimize adverse effects and determine whether formal consultation may be necessary.

We again recommend that a meeting be held between the Service, the Department and PREPA to discuss this project. We look forward to working with you to protect these valuable natural resources. Please contact this office to arrange for a meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Silander". The signature is fluid and cursive, with the first name "Susan" and last name "Silander" clearly distinguishable.

Susan R. Silander  
Acting Field Supervisor

SS

cc:

PREPA, San Juan

DNER, San Juan

EQB, San Juan

PRPB, San Juan

Municipality of Rincon



## Department of Energy

Oak Ridge Operations Office  
P.O. Box 2001  
Oak Ridge, Tennessee 37831—

February 8, 2002

Ms. Susan R. Silander  
Acting Field Supervisor  
U.S. Department of the Interior  
Fish and Wildlife Service  
Boqueron Field Office  
P.O. Box 491  
Boqueron, Puerto Rico 00622

Dear Ms. Silander:

**INFORMAL CONSULTATION UNDER SECTION 7 OF THE ENDANGERED SPECIES ACT - DRAFT ENVIRONMENTAL ASSESSMENT FOR AUTHORIZING THE PUERTO RICO ELECTRIC POWER AUTHORITY TO ALLOW PUBLIC ACCESS TO THE BOILING NUCLEAR SUPERHEAT ENTOMBED REACTOR BUILDING, RINCON, PUERTO RICO**

Thank you for your letter dated October 29, 2001, providing comments *on the Draft Environmental Assessment (EA) for Authorizing the Puerto Rico Electric Power Authority (PREPA) to Allow Public Access to the Boiling Nuclear Superheat (BOWS) Entombed Reactor Building, Rincon, Puerto Rico* (August 2001). The following information is provided in response to your comments:

- Section 3.7.3 will be revised to reflect updated information on threatened and endangered species in Puerto Rico. Although we recognize that the Elfin Woods Warbler and Mottled Coqui are not currently listed as threatened or endangered by the US. Fish and Wildlife Service, we recommend mentioning them as species of concern.

The Draft EA does not provide a detailed discussion of conversion of the BONUS facility to a museum, and subsequent operation of the museum, because the Department of Energy's (DOE) only action is to ensure that radiation levels inside the entombed reactor building are safe to allow PREPA to open the facility to the public. The BONUS facility and surrounding property is owned by PREPA; DOE only maintains title to the entombed radioactive materials. DOE's proposed action is administrative in nature, and only applies within the BONUS structure. From discussions with PREPA, we understand that no new exterior construction is planned at the BONUS facility for conversion to a museum; in addition, the parking lot and exterior lighting have been present for several years, and PREPA has no plans to change their configuration. Increased traffic to the

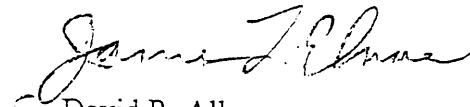


Ms. Susan R. Silander

area as a result of PREPA opening the facility as a museum is unlikely to result in an unacceptable impact on threatened or endangered species because new construction is not planned and visitors would be expected to use existing walkways. We have recommended that PREPA meet with your office to discuss measures that could be implemented to minimize impacts to the endangered Hawksbill (*Eretmochelys imoricata*) and Leatherback (*Dermochelys coriacea*) sea turtles, and to protect populations of *Burns vahliei* occurring on the BONUS property.

We look forward to working with you to resolve these comments on the BONUS EA. If you have any questions, please call me at (865) 576-0441.

Sincerely,

  
David R. Allen  
ORO NEPA Compliance Officer

cc:

Madeline Rarnos, PREPA  
Jim Elmore, ORO, SE-32  
Mildred Ferre, ORO, EM-92 1  
Gary Hartman, ORO, EM-912  
Terri Slack, ORO, CC-10

**INFORMAL CONSULTATION UNDER SECTION 7 OF THE ENDANGERED SPECIES ACT - DRAFT ENVIRONMENTAL ASSESSMENT FOR AUTHORIZING THE PUERTO RICO ELECTRIC POWER AUTHORITY TO ALLOW PUBLIC ACCESS TO THE BOILING NUCLEAR SUPERHEAT ENTOMBED REACTOR BUILDING, RINCON, PUERTO RICO**

- ☐ This information supports the conclusion that DOE's proposed action of authorizing PREPA to allow public access to the BONUS entombed reactor building, Rincon, Puerto Rico, would not adversely impact federally listed protected species and/or habitat. DOE has satisfied consultation requirements of Section 7 of the Endangered Species Act.
  
- cl This information does not support the conclusion that DOE's proposed action of authorizing PREPA to allow public access to the BOWS entombed reactor building, Rincon, Puerto Rico, would not adversely impact federally Listed protected species and/or habitat. DOE has not satisfied consultation requirements of Section 7 of the Endangered Species Act.

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Signature

Date



# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

Boqueron Field Office  
Carr. 301, KM 5.1, Bo. Corozo  
P.O. Box 491  
Boqueron, PR 00623  
March 20, 2002

Mr. David R. Allen  
ORO NEPA Compliance Officer  
Department of Energy  
Oak Ridge Operation Office  
PO Box 2001  
Oak Ridge, Tennessee 3783 1

Re: Section 7 Consultation  
Public Access to the Boiling Nuclear Superheat  
Entombed Reactor Building, Rincón, PR

Dear Mr. Allen:

Thank you for your letter of February 8, 2002, requesting comments regarding the above referenced project. Based on the information provided the Department of Energy's only action is to ensure that radiation levels inside the entombed reactor building are safe to allow Puerto Rico Electric and Power Authority (PREPA) to open the facility to the public. In addition, your letter stated that you recommended PREPA meet with the Service to discuss measures to minimize any possible impacts of existing lighting on possible sea turtle nesting beaches and to protect populations of *Buxus vahliei* occurring on the BONUS property. Based on the information provided and your recommendations to PREPA, we concur with the determination that the proposed project is not likely to adversely affect any endangered species or its habitat. Therefore, no further consultation is required. Nevertheless, if the project is modified or if information on impacts to listed species becomes available this office should be contacted concerning the need for the initiation of consultation under section 7 of the Act. Our comments are provided in accordance with the Endangered Species Act (Act) of 1973, as amended (87 Stat. 884, as amended; 16 U.S.C. 153 1 et seq.).

If you have any questions, please call Marelisa Rivera at 787-851-7297.

Sincerely,

James P. Oland  
Field Supervisor

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Date Received MAR 26 2002  
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